

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Bernard Ohio, LLC, Assignor	)	
	)	
Educational Media Foundation, Assignee	)	
	)	
Application for Assignment of License for:	)	
	)	
WYLR(FM), Hubbard, Ohio	)	File No. BALH-20120612AAP
	)	Facility ID No. 63498
Bernard Ohio, LLC	)	
	)	
Applications for Renewal of Licenses for:	)	
	)	
WVKO(AM), Columbus, Ohio	)	File No. BR-20120529AHE
	)	Facility ID No. 22341
	)	
WVKO-FM, Johnstown, Ohio	)	File No. BRH-20120529AHG
	)	Facility ID No. 58633
	)	
WASN(AM), Youngstown, Ohio	)	File No. BR-20120529AHH
	)	Facility ID No. 72100
	)	
WYLR(FM), Hubbard, Ohio	)	File No. BRH-20120529AHK
	)	Facility ID No. 63498
	)	
WGFT(AM), Campbell, Ohio	)	File No. BR-20120529AHJ
	)	Facility ID No. 74164
Application to Modify License for:	)	
	)	
WYLR(FM), Hubbard, Ohio	)	File No. BMLED-20120710AAS
	)	Facility ID No. 63498

**MEMORANDUM OPINION AND ORDER**

**Adopted: April 16, 2014**

**Released: April 17, 2014**

By the Commission:

1. In this Memorandum Opinion and Order, we deny the Application for Review filed by Percy Squire (“Squire”) on May 16, 2013. Squire seeks review of an April 18, 2013, action by the Media Bureau (“Bureau”),<sup>1</sup> which denied Squire’s Petition for Reconsideration of the January 11, 2013, letter decision granting the above-captioned applications (“Applications”) of Bernard Ohio, LLC (“Bernard”).<sup>2</sup>

<sup>1</sup> Aaron P. Shainis, Esq., Letter, 28 FCC Rcd 5198 (MB 2013) (“*Reconsideration Decision*”).

<sup>2</sup> Aaron P. Shainis, Esq., Letter, 28 FCC Rcd 126 (MB 2013) (“*Letter Decision*”).

2. Squire's arguments in the Application for Review are the same as those raised below. In both the *Letter Decision* and *Reconsideration Decision*, the Bureau thoroughly addressed Squire's contentions regarding impermissible levels of foreign ownership and unauthorized control of the above-captioned stations ("Stations"). First, the Bureau found that Squire had failed to provide factual support for his argument that the percentage of capital stock of the licensee's indirect owner "owned of record or voted by aliens" exceeded the 25 percent benchmark contained in Section 310(b)(4) of the Communications Act of 1934, as amended.<sup>3</sup> Second, the Bureau held that Squire had failed to adduce any facts regarding the alleged unauthorized control of the Stations, because his argument was based on allegations involving a different licensee and different radio stations and therefore not relevant in assessing the Applications.<sup>4</sup> Moreover, the Bureau noted that those allegations had been rejected with regard to that licensee and those stations.<sup>5</sup>

3. Upon review of the Application for Review and the entire record, we conclude that Squire has not demonstrated that the Bureau erred. The Bureau, in the *Reconsideration Decision*, properly decided the matters raised, and we uphold its decision for the reasons stated therein.

4. ACCORDINGLY, IT IS ORDERED that, pursuant to Section 5(c)(5) of the Communications Act of 1934, as amended,<sup>6</sup> and Section 1.115(g) of the Commission's rules,<sup>7</sup> the Application for Review IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch  
Secretary

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<sup>3</sup> 47 U.S.C. § 310(b)(4).

<sup>4</sup> See 47 U.S.C. § 309(k)(1) (stating that relevant findings must be made specifically "with respect to" the station seeking renewal).

<sup>5</sup> See *Urban Radio I, LLC, Debtor-in-Possession*, Letter, Ref No. 1800B3-MFW at 5-6 (MB 2012), application for review pending; see also *DFW Radio License, LLC*, Memorandum Opinion and Order, 29 FCC Rcd 804, ¶ 32 (2014), appeal pending.

<sup>6</sup> 47 U.S.C. § 155(c)(5).

<sup>7</sup> 47 C.F.R. § 1.115(g).